

Docket No.: 00 P 7658 US
App. No.: 09/586,557

REMARKS

Claims 1, 4-8, 11 and 16-19 are pending in the Application.

Claim Objections

Claims 1 and 4-19 are objected for informalities.

Claims 1, 7, 9, 12 and 19 recite an unclear limitation.

Applicant respectfully traverses, however, claims 1, 7 and 19 have been amended and claims 9 and 12 were canceled without prejudice.

Claim Rejections - 35 U.S.C. § 112

The Patent Office rejected claims 12-14 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicant respectfully traverses, however, claims 12-14 have been canceled without prejudice, and thus the rejection is now moot.

The Patent Office rejected claims 1, 4-19 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully traverses, however, claims 1, 7 and 19 have been amended and claims 9 and 12 were canceled without prejudice.

Claim Rejections - 35 U.S.C. § 103

The Patent Office rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,069,875 by Miller, ("Miller").

Applicant respectfully traverses, however, claim 9 has been canceled without prejudice, thus the rejection is now moot.

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The Patent Office rejected claims 1, 4-6, 8, 11 and 16-19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,069,875 by Miller, ("Miller") in view of U.S. Patent No. 6,606,304 by Grinter, ("Grinter").

Applicant respectfully traverses. Applicant respectfully submits claims 1, 7 and 19 recite elements which have not been disclosed by Miller and Grinter. For example, claims 1, 7 and 19 generally recite a dependability system comprising a hierarchical arrangement of two or more nodes each having a fault analyzer object programmed to respond to status information relating to an associated system of one or more objects, said status information including an object error, said associated system of one or more objects including an active object and an inactive object, wherein a first fault analyzer object is configured to report object status information to a second fault analyzer object, the first fault analyzer object being configured to register with the second fault analyzer object, said first fault analyzer deactivating said active object when status information indicates an error with said active object and activating said inactive object.

Miller and Grinter fail to disclose, teach or suggest a fault analyzer object programmed to respond to status information relating to an associated system of one or more objects, said status information including an object error, said associated system of one or more objects including an active object and an inactive object, wherein a first fault analyzer object is configured to report object status information to a second fault analyzer object, the first fault analyzer object being configured to register with the second fault analyzer object, said first fault analyzer deactivating said active object when status information indicates an error with said active object and activating said inactive object. Consequently, under *in re Ryoka*, a *prima facie* case of obviousness has not been established for claims 1, 7 and 19. Claims 4-6, 8, 11 and 16-18 are believed allowable due to their dependence upon an allowable base claim.

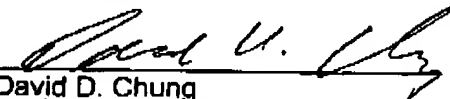
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Conclusion

Applicants respectfully submit that all claims are allowable, and it is respectfully requested that the entire application now be passed to formal allowance.

Dated: 13 Dec. 05

Respectfully Submitted,


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